

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILMER B. GAY,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	
	:	
ROBERT D. SHANNON, et al.,	:	NO. 02-CV-4693
Defendants	:	

**ORDER**

AND NOW, this            day of            , 2005, upon  
consideration of Plaintiff's second Motion for Reconsideration of this  
Court's March 1, 2005 Order, and Major Mooney's Response thereto, it is  
hereby ORDERED that Plaintiff's second Motion for Reconsideration is  
DENIED.

BY THE COURT:

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NORMA L. SHAPIRO,            S.J.

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILMER B. GAY,	:	CIVIL ACTION
Plaintiff	:	
	:	
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	:	
ROBERT D. SHANNON, et al.,	:	NO. 02-CV-4693
Defendants	:	

**RESPONSE IN OPPOSITION TO PLAINTIFF'S SECOND MOTION FOR  
RECONSIDERATION OF THIS COURT'S MARCH 1, 2005 ORDER**

Defendant Mooney opposes Plaintiff's second Motion for Reconsideration of this Court's March 1, 2005 Order, and incorporates by reference the Commonwealth defendants' Motion to Dismiss, this Court's Opinion and Order dated March 1, 2005, Major Mooney's Response in Opposition to Plaintiff's first Motion for Reconsideration, and this Court's March 30, 2005 Order denying plaintiff's Motion for Reconsideration, in support of his Response in Opposition.

Accordingly, Plaintiff's second Motion for Reconsideration should be DENIED as set forth in the proposed Order.

THOMAS W. CORBETT, JR.  
ATTORNEY GENERAL

BY: /s/ Patrick J. McMonagle  
Patrick J. McMonagle  
Deputy Attorney General  
Identification No. 83890

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Susan J. Forney  
Chief Deputy Attorney General  
Chief, Litigation Section

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**CERTIFICATE OF SERVICE**

I, Patrick J. McMonagle, Deputy Attorney General, hereby certify that a true and correct copy of the Commonwealth Defendant's Response in Opposition to Plaintiff's second Motion for Reconsideration was filed electronically and is available for viewing and downloading from the ECF system as of May 16, 2005. I further certify that a true and correct copy of said document was mailed on May 17, 2005:

Wilmer Gay  
Inmate AF-2709  
State Correctional Institution - Huntingdon  
1100 Pike Street  
Huntingdon, PA 16654-1112

THOMAS W. CORBETT, JR.  
ATTORNEY GENERAL

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